

10/27/00
jc945 U.S. PTO

10-30-00

A

NEW, CONTINUATION, DIVISIONAL OR
CONTINUATION-IN-PART APPLICATION
UNDER 37 C.F.R. §1.53(b)

Attorney Docket No. 0275A0168DVB

Express Mail Label No. EL 684 103 374 US

Date October 27, 2000

#515191
V. Hatt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Hon. Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. §1.53(b) is a patent application for **GUARD AND CONTROL APPARATUSES FOR SLIDING COMPOUND MITER SAW**, naming as inventors Daryl S. Meredith, Scott Price and William R. Stumpf.

identified by: ☐ First named inventor _____
or ☒ Attorney Docket No. (see above)

1. Type of Application

- ☐ This application is a new (non-continuing) application.
- ☒ This application is a divisional of prior application Serial No. 08/974,093, filed November 19, 1997, which is a divisional of application Serial No. 08/541,667, filed October 10, 1995, now Patent No. 5,724,875, issued March 10, 1998. Amend the specification by inserting before the first line the sentence:

--This is a division of United States patent application Serial No. 08/974,093, filed November 19, 1997, which is a divisional of application Serial No. 08/541,667, filed October 10, 1995, now Patent No. 5,724,875, issued March 10, 1998.--

- ☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

If for some reason applicant has not requested a sufficient extension of time in the parent application, and/or has not paid a sufficient fee for any necessary response in the parent application and/or for the extension of time necessary to prevent the abandonment of the parent application prior to the filing of this application, please consider this as a Request for an Extension for the required time period and/or authorization to charge our Deposit Account No. 0-2548 for any fee that may be due. THIS FORM IS BEING FILED IN TRIPLICATE: one copy for this application; one copy for use in connection with the Deposit Account (if applicable); and one copy for the above-mentioned parent application (if any extension of time is necessary).

2. Contents of Application

- a. ☒ Specification of 30 pages;
☐ A microfiche computer program (Appendix);
☐ A nucleotide and/or amino acid sequence submission;
- ☐ Because the enclosed application is in a non-English language, a verified English translation ☐ is enclosed ☐ will be filed.
- ☐ Cancel original claims ____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing date purposes.)
- b. ☒ Drawings on 14 sheets;

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- c. ☒ A signed Declaration is enclosed.

The enclosed Declaration is a copy from a prior application under 37 C.F.R. §1.63(d).

d. **Fees**

| FILING FEE | Number | | Number | | Basic Fee | |
|---|--------|--------|--------|------|------------|---------------|
| CALCULATION | Filed | | Extra | Rate | | \$710.00 |
| Total Claims | 16 | - 20 = | 0 | × | \$18.00 = | 0.00 |
| Independent Claims | 2 | - 3 = | 0 | × | \$80.00 = | 0.00 |
| Multiple Dependent Claim(s) Used | | | | | \$270.00 = | |
| FILING FEE - NON-SMALL ENTITY | | | | | | 710.00 |
| FILING FEE - SMALL ENTITY: Reduction by 1/2 | | | | | | |
| [] Verified Statement under 37 C.F.R. §1.27 is enclosed. | | | | | | |
| [] Verified Statement filed in prior application. | | | | | | |
| Assignment Recordal Fee (\$40.00) | | | | | | |
| 37 C.F.R. §1.17(k) Fee (non-English application) | | | | | | |
| TOTAL | | | | | | 710.00 |

- [] A check is enclosed to cover the calculated fees. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 02-2548. A duplicate copy of this document is enclosed.
- [] The calculated fees will be paid within the time allotted for completion of the filing requirements.
- ☒ The calculated fees are to be charged to Deposit Account No. 02-2548. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to said Deposit Account. A duplicate copy of this document is enclosed.

3. **Priority Information**

- [] **Foreign Priority:** Priority based on _____ Application No. _____, filed _____, is claimed.
- [] A copy of the above referenced priority document [] is enclosed / [] will be filed in due course, pursuant to 35 U.S.C. §119(a)-(d).
- [] **Provisional Application Priority:** Priority based on United States Provisional Application No. _____, filed _____, is claimed under 35 U.S.C. §119(e).

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4. **Other Submissions**

☒ A Preliminary Amendment is enclosed.

☐ An Information Disclosure Statement, _____ sheets of PTO Form 1449, and _____ patent(s)/publications/documents are enclosed.

☒ A power of attorney

☐ is submitted with the new Oath/Declaration.

☒ is of record in the prior application and a copy is enclosed.

☒ An Assignment of the invention

☐ is enclosed with a cover sheet pursuant to 37 C.F.R. §§3.11, 3.28 and 3.31.

☒ is of record in a prior application. The assignment is to Black & Decker Inc., and is recorded at Reel 8523, Frame(s) 0751.

☐ An Establishment of Assignee's Right To Prosecute Application Under 37 C.F.R. §3.73(b), and Power Of Attorney is enclosed.

☐ Verified Statement (Declaration) Claiming Small Entity Status (3u C.F.R. § 1.9(f) and 1.27(c)) - Small Business Concern is enclosed.

☒ An Express Mailing Certificate is enclosed.


☒ Other: Submission of Executed Declaration with executed Declaration; Submission of
Previously Approved Formal Drawings

Attention is directed to the fact that the correspondence address for this application is:

Harness, Dickey & Pierce, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600.

Respectfully,

Date October 27, 2000
Harness, Dickey & Pierce, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600



Michael J. Schmidt
Reg. No. 34,007

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Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

EXPRESS MAILING CERTIFICATE

Attorney: Michael J. Schmidt

Date of Deposit **October 27, 2000**

Debra J. Coughlin

PATENT

Art Unit:

Examiner:

Inventor: Daryl S. Meredith et al.

Serial No:

Filed: October 27, 2000

For: **Guard and Control Apparatuses
for Sliding Compound Miter Saw**

Attorney Docket: 0275A00168DVB

SUBMISSION OF EXECUTED DECLARATION

EXPRESS MAILING CERTIFICATE

I hereby certify that this letter and the response attached hereto are being deposited with the United States Postal Service as Express Mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231, on _____.

By _____

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

Applicant's attorney is submitting herewith a copy of the executed Declaration which was filed in the parent to this application in response to a "Notice to File Missing Parts".

However, in order to comply with the requirements of 37 C.F.R. § 1.60, a copy of the unsigned Declaration as filed in the parent to this application is attached to the copy of the parent application as well.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.
Attorneys for Applicants

Date: _____

P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600

By:

Michael J. Schmidt
Reg. No. 34,007

Attorney Docket No. 0275A00168DVB